

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CRIMINAL NO. 04-10294-GAO

UNITED STATES OF AMERICA

v.

DWIGHT COLE

ASSENTED TO MOTION FOR EXCLUDABLE DELAY
FOR THE PERIODS 2-18-05 TO 3-8-05 AND 4-7-05 TO 9-28-05

The United States respectfully files this assented-to motion to exclude the periods of February 18, 2005, through March 8, 2005, and April 7, 2005, to September 28, 2005, for purposes of the Speedy Trial Act, and states the following in support of this request:

1) A defense motion for release of records in the custody of Pretrial Services was pending from February 18, 2005, through March 8, 2005. (Docket entry #13).

2) Since April 7, 2005, a number of dates have been scheduled for the defendant to enter a guilty plea but have been continued, on defense motion, because the defendant is undergoing in-patient rehabilitation to regain the use of his left foot. The defendant is currently scheduled to plead guilty on September 28, 2005.

3) Counsel for the defendant, Charles McGinty, Esq., assents to the relief requested in this motion.

WHEREFORE, the United States requests that the periods of February 18, 2005, through March 8, 2005, and April 7, 2005, to September 28, 2005, be excluded for purposes of the Speedy Trial Act.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ Sandra S. Bower
SANDRA S. BOWER
Assistant U.S. Attorney
U. S. Attorney's Office
John Joseph Moakley
United States Courthouse
1 Courthouse Way, Suite 9200
Boston, MA 02210